

IN RE: PETITION FOR ZONING VARIANCE  
N/S Castlemore Road, 450' E  
of the c/l of Richwood Road  
(7302 Castlemore Road)  
2nd Election District  
2nd Councilmanic District  
George F. Hall, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 89-300-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a rear yard setback of 26 feet in lieu of the required 30 feet for a proposed dwelling as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by George Hall, appeared and testified. There were no Protestants.

Based upon the testimony and evidence presented at the hearing, all of which was uncontradicted, in the opinion of the Zoning Commissioner the relief requested sufficiently complies with the requirements of Section 307 of the Baltimore County Zoning Regulations (B.C.Z.R.) and, therefore, should be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the requested variance should be granted.

WHEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 10th day of February, 1989 that the Petition for Zoning Variance to permit a rear yard setback of 26 feet in lieu of the required

30 feet for a proposed dwelling in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

1) The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County

JRH:bjs

RECEIVED  
DATE 1/13/89  
BY *[Signature]*

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., January 16, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper printed and published in Towson, Baltimore County, Md., appearing on January 12, 1989.

THE JEFFERSONIAN,

*S. Z. Orlan*  
Publisher

PO 08947  
reg 125971  
case 89-300-A  
price \$37.43

#### CERTIFICATE OF PUBLICATION

Pikesville, Md., Jan 11, 1989

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHWEST STAR, a weekly newspaper published in Pikesville, Baltimore County, Maryland before the 17th day of January, 1989, the first publication appearing on the 14th day of January, 1989, the second publication appearing on the 15th day of January, 1989, and the third publication appearing on the 16th day of January, 1989.

THE NORTHWEST STAR

*[Signature]*  
Manager

Cost of Advertisement \$19.20

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

Date: 1/30/89

Mr. & Mrs. George F. Hall, Sr.  
4315 Han Drive  
Baltimore, Maryland 21229

Re: Petition for Zoning Variance  
CASE NUMBER: 89-300-A  
N/S Castlemore Rd., 450' E c/l Richwood Road  
7302 Castlemore Road  
2nd Election District - 2nd Councilmanic  
Petitioner(s): George F. Hall, et ux  
HEARING SCHEDULED: TUESDAY, JANUARY 31, 1989 at 2:00 p.m.

Dear Mr. & Mrs. Hall:

Please be advised that \$71.63 is due for advertising and posting of the above-referenced property. All fees must be paid prior to the hearing. Do not remove the sign and post set(s) from the property from the time it is posted by this office until the day of the hearing itself.

THIS FEE MUST BE PAID AND THE ZONING SIGN(S) AND POST(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT BE ISSUED.

Please make your check payable to Baltimore County, Maryland and bring it along with the sign(s) and post set(s) to the Zoning Office, County Office Building, Room 111, Towson, Maryland 21204, 15 minutes before

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT  
No. 065047  
DATE 1/31/89 ACCOUNT R-01-615-000  
AMOUNT \$ 71.63  
RECEIVED FROM George F. Hall, Sr.  
FOR J. R. H. 1/31/89  
B 8117\*\*\*\*\*71553 89-300-A  
VALIDATION OR SIGNATURE OF CASHIER  
DATE-TIME: 1/31/89 1:50 PM

post set(s), then each set not

#### PETITION FOR ZONING VARIANCE # 188

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.2.B To permit a rear yard setback of 26 feet in lieu of the required 30 feet.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)

1. MUST BE SINGLE STORY HOUSE FOR HANDICAPPED FAMILY MEMBER.
2. SMALLEST THREE BEDROOM RANCHER AVAILABLE HANDICAPPED EQUIPPED IN OUR PRICE RANGE.
3. COUNTY HAS NO FUTURE PLANS TO IMPROVE RIGHT OF WAY AT REAR SET BACK.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

Contract Purchaser:

Legal Owner(s):

(Type or Print Name)

George F. Hall, Sr.

Signature

*[Signature]*

Address

4315 Han Drive

City and State

Baltimore, Md.

Attorney for Petitioner:

(Type or Print Name)

1316 Alameda

Signature

*[Signature]*

Address

1316 Alameda

City and State

Baltimore, Md.

Attorney's Telephone No.:

4316 Alameda

ORDERED By The Zoning Commissioner of Baltimore County, this 16th day of NOV 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be held before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 31st day of JAN 1989, at 2 o'clock P. M.

*J. Robert Haines*  
Zoning Commissioner of Baltimore County.

ESTIMATED LENGTH OF HEARING 1 1/2 HRS. + 1HR.  
AVAILABLE FOR HEARING MON./TUES./WED. - NEXT TWO MONTHS  
ALL OTHER  
REVIEWED BY: DMK DATE 1/2/89

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
494-3353

J. Robert Haines  
Zoning Commissioner

December 27, 1988

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Zoning Variance  
CASE NUMBER: 89-300-A  
N/S Castlemore Rd., 450' E c/l Richwood Road  
7302 Castlemore Road  
2nd Election District - 2nd Councilmanic  
Petitioner(s): George F. Hall, et ux  
HEARING SCHEDULED: TUESDAY, JANUARY 31, 1989 at 2:00 p.m.

Variance to permit a rear yard setback of 26 feet in lieu of the required 30 feet.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner of  
Baltimore County  
cc: Mr. & Mrs. George F. Hall, Sr.  
File

#### ZONING DESCRIPTION

BEGINNING ON THE NORTH SIDE OF CASTLEMORE ROAD, 50 FEET WIDE, AT THE DISTANCE OF 450 FEET EAST OF THE CENTER LINE OF RICHWOOD ROAD BEING LOT 2 OF THE SUB-DIVISION OF THE RALPH L. and GLORIA O. WILLIAMS PROPERTY, BOOK #54 FOLIO 73 ALSO KNOWN AS 7302 CASTLEMORE ROAD IN THE SECOND ELECTION DISTRICT.

#### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

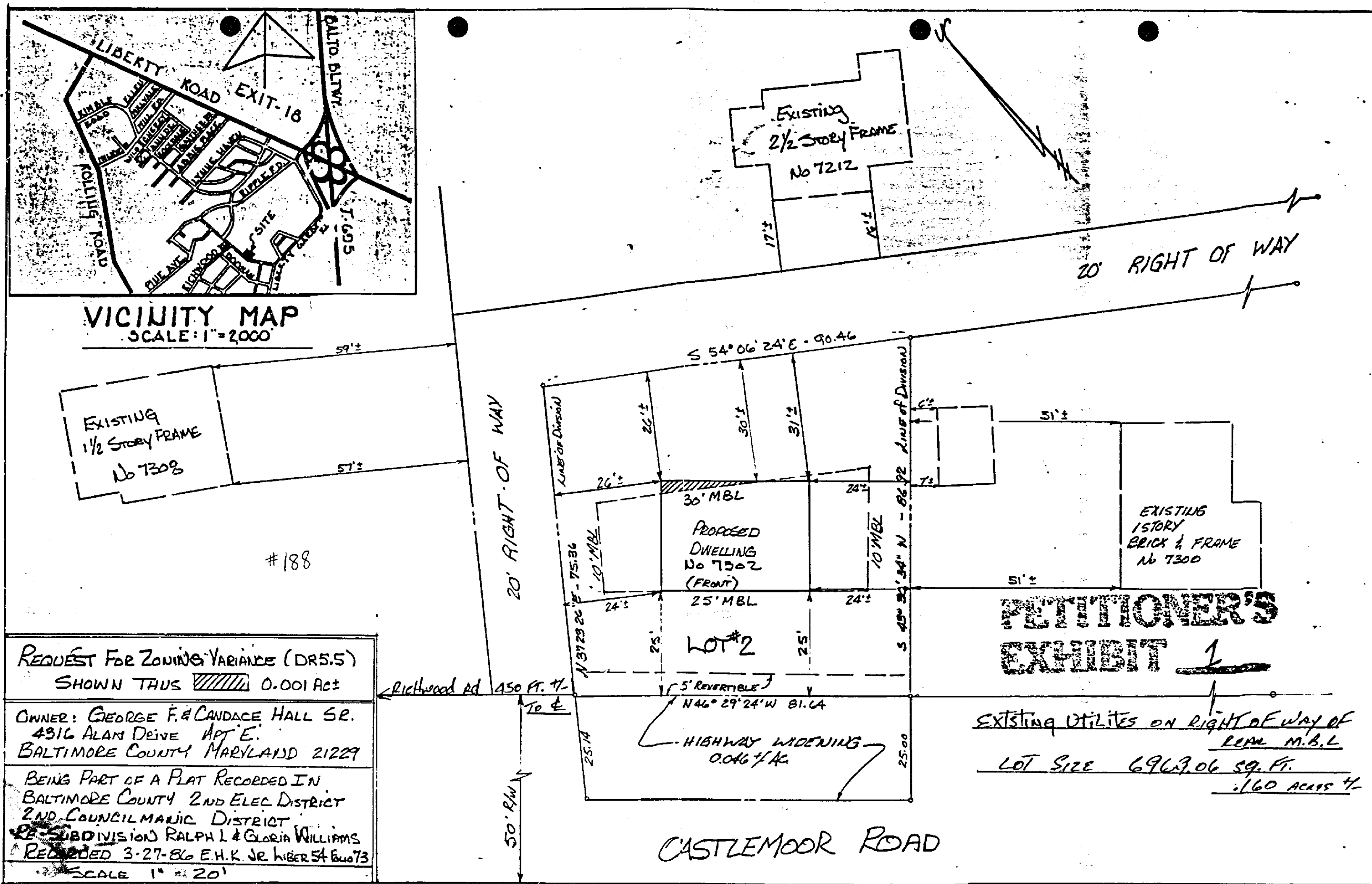
District 2nd Date of Posting January 11, 1989  
Posted for: Variance  
Petitioner: George F. Hall, et ux  
Location of property: N/S Castlemore Rd., 450' E c/l Richwood Road, 7302 Castlemore Road  
Location of Sign: In front of 7302 Castlemore Road  
Remarks:  
Posted by: J. Robert Haines Date of return: January 13, 1989  
Number of Signs: 1

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

No. 50238

DATE 1/31/89 ACCOUNT  
AMOUNT \$ 71.63  
RECEIVED FROM George F. Hall, Sr.  
FOR J. R. H. 1/31/89  
U 8155\*\*\*\*\*75100 50238  
VALIDATION OR SIGNATURE OF CASHIER





89-300-A  
BALTIMORE COUNTY OFFICE OF PLANNING & ZONING  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204  
Your petition has been received and accepted for filing this  
16th day of November, 1988.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER  
Petitioner: George F. Hall, Sr., et ux Received by: James E. Dyer  
Petitioner's Attorney: Chairman, Zoning Plans Advisory Committee

Baltimore County  
Fire Department  
Towson, Maryland 21204-2386  
494-4500  
Paul H. Reische  
Chief  
December 29, 1988  
J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Towson, Maryland 21204  
Re: Property Owner: George F. Hall, Sr., et ux  
Location: N/S Castle Moore Rd., 450' E. of c/l of Richmond Road  
Item No.: 188 Zoning Agenda: Meeting of 11/15/88  
Gentlemen:  
Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.  
( ) 1. Fire hydrants for the referenced property are required and shall be located at intervals or feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.  
( ) 2. A second means of vehicle access is required for the site.  
( ) 3. The vehicle dead end condition shown at EXCEEDS the maximum allowed by the Fire Department.  
( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.  
(X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.  
( ) 6. Site plans are approved, as drawn.  
( ) 7. The Fire Prevention Bureau has no comments at this time.  
PREVIEWER: *[Signature]* NOTED & APPROVED: *[Signature]*  
Planning Group Fire Prevention Bureau  
Special Inspection Division  
/s/

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE  
COUNTY OFFICE BLDG.  
111 W. Chesapeake Ave.  
Towson, Maryland 21204  
000  
MEMBERS  
Bureau of Engineering  
Department of Traffic Engineering  
State Roads Commission  
Bureau of Fire Prevention  
Health Department  
Project Planning  
Building Department  
Board of Education  
Zoning Administration  
Industrial Development  
January 23, 1989  
Mr. & Mrs. George F. Hall, Sr.  
4316 Alan Drive  
Baltimore, Maryland 21229  
RE: Item No. 188, Case No. 89-300-A  
Petitioner: George F. Hall, Sr., et ux  
Petition for Zoning Variance  
Dear Mr. & Mrs. Hall:  
The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.  
Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.  
Very truly yours,  
*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee  
JED:dt  
Enclosures

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
Courts Building, Suite 405  
Towson, Maryland 21204  
(301) 887-3554  
November 25, 1988  
Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204  
Dennis F. Rasmussen  
County Executive  
ZAC - Meeting of November 15, 1988  
Item Nos. 152, 183, 184, 186, 187, 188, 189, and 190.  
Dear Mr. Haines:  
The Bureau of Traffic Engineering has no comments for item numbers 152, 183, 184, 186, 187, 188, 189, and 190.  
*Michael S. Flahigan*  
Michael S. Flahigan  
Traffic Engineer Associate II  
MSF/lw  
RECEIVED  
NOV 29 1988  
ZONING OFFICE

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner  
February 1, 1989  
Mr. & Mrs. George F. Hall, Sr.  
4316 Alan Drive  
Baltimore, Maryland 21229  
RE: PETITION FOR ZONING VARIANCE  
N/S Castle Moore Road, 450' E of the c/l of Richmond Road  
(7302 Castle Moore Road)  
2nd Election District - 2nd Councilmanic District  
George F. Hall, Sr., et ux - Petitioners  
Case No. 89-300-A  
Dear Mr. & Mrs. Hall:  
Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in accordance with the attached Order.  
In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 494-3391.  
Very truly yours,  
*J. Robert Haines*  
J. ROBERT HAINES  
Zoning Commissioner  
for Baltimore County  
JRH:bjs  
cc: People's Counsel  
File  
RECEIVED  
NOV 29 1988  
ZONING OFFICE

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE  
J. Robert Haines  
TO: Zoning Commissioner Date: January 23, 1989  
Pat Keller, Deputy Director  
FROM: Office of Planning and Zoning  
Zoning Petition Nos. 89-292-A (Tripe Assoc.); 89-293-A (Brune);  
89-294 (Manor Health); 89-296-A (Chesara); 89-297-A (Algerman);  
SUBJECT: 89-298-A (Catonville Baptist); 89-300-A (Hall); 89-301-A (Boegner)  
The Office of Planning and Zoning has no comment on the above petitions.  
PK/sf  
ZONING OFFICE